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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,219	12/19/2000	Adam Bosworth	41016.P004	7676
25943	7590	07/14/2006	EXAMINER	
SCHWABE, WILLIAMSON & WYATT, P.C. PACWEST CENTER, SUITE 1900 1211 SW FIFTH AVENUE PORTLAND, OR 97204			VU, TUAN A	
			ART UNIT	PAPER NUMBER
			2193	

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/741,219	BOSWORTH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tuan A. Vu	2193	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This action is responsive to the Applicant's Appeal Brief filed 4/24/2006.

As indicated in Applicant's response, no claims have been amended. Claims 1-21 are pending in the office action.

In view of the state of the rejection in light of the prior art of record, the issues presented in the Appeal Brief in regard the claimed subject matter being put forth therein, the finality of the rejection is now withdrawn and prosecution of the case is now re-opened as per the Office Action as effectuated hereinafter.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6, 8-16, 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Renner et al., USPN: 6,993,657(hereinafter Renner)

**As per claim 1**, Renner discloses a method of computing, comprising:

receiving at execution time (e.g. *XSL sheets, statements* - col. 39, line 62 to col. 42, line 34), a data processing specification having a first and a second unnested data processing cell specification specifying a first and a second data processing cell respectively, with each data processing cell specification having a plurality of statements including a formula specifying an

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action or computation (e.g. Table 4, col. 38: `<...METHOD="POST" ACTION="dca.dca_forum_data.set_args">xsl:apply-templates select=...>` lines 16-18; `xsl:value-of select=` - lines 26, 34, 38, 40) the first data processing cell having a data dependency on the second data processing cell (e.g. Table 4, col. 38-39: first cell: line 33, 36, 39; second cell: lines 34, 37, 40 – Note: *fieldname*, *fieldlbl*, and *fieldval* depend on *@name*, *@label* and *@value*, respectively), and specified in a manner to be analyzed before the second data processing cell (Note: line 33, 36 processed before line 34, 37);

analyzing in real time, the first and then the second data processing cell specification to determine execution order of said actions/computations specified by said first data processing cell specifications, based at least in part on interaction or computation references between said actions or computations specified (e.g. col. 38, line 28 to col. 42, line 34 – Note: using statements and formula/action inside xsl statement tags to effectuate HTML reads on analyzing and determine order of execution based on tag sequencing of specifications therein); and

effectuating the data processing specified by the data processing specification in accordance with the determined execution order of said actions/computations specified by said first and second data processing cell specifications ( e.g. col. 41, lines 42 to col .42, line 19; col 43, lines 19-50- Note: SQL calls or POST method and variable processing with value substitution thereto reads on effectuating specification according to order of execution).

**As per claim 2**, Renner discloses that each of said first and second data processing cell specifications is delineated by a beginning and an ending data processing cell specification tag (e.g. `<xsl: ... />` - Table 4, lines 33, 34).

**As per claim 3**, Renner discloses wherein said first data processing cell specification has a formula referencing a value (e.g. *fieldval*, *@value*, *VALUE="{fieldval}"* --Table line 39, 40, 54, respectively) of said second data processing cell specification.

**As per claims 4-5**, Renner discloses wherein one or both of said first and second data processing cell specifications comprise one or more attributes specifications specifying one or more attributes of the corresponding data processing cells(e.g. line 33, Table 4: *xsl: variable name=*, *xsl:value-of*, *TYPE=* ...*SIZE=* ..*CHECKED=*, line 54, line 64, table 4, col. 39 ); wherein the first data processing cell has a first attribute referencing a second attribute of said second data processing cell( Note: *name* is referencing a subsequent *value* attribute)

**As per claim 6**, Renner discloses wherein said second data processing cell specification comprises a reserved mnemonic for providing input (e.g. col. 39, TABLE 4, lines 54, 62, 67) to the data processing specified by the data processing specification.

**As per claim 8**, Renner discloses wherein said second data processing cell specification comprises a conditionally (e.g. col. 39, Table 4, lines 61, 66) executed formula.

**As per claims 9-10**, Renner discloses wherein said data processing specification further includes one or more global attributes (*<td width= ...align=right>* col. 39; line 80, line 54, line 64 -Table 4, col. 39) specifying one or more global processing characteristics for the specified data processing;

wherein said one or more global attributes include a global attribute specifying a format (*<FORM...</FORM>*, line 16-21; *name @type="text"*, line 26; *<...SIZE="15/>*, line 54; *<FONT ... </FONT>* lines 74-75, TABLE 4, col. 38-39 )for providing the specified data processing with an HTTP request.

**As per claim 11**, Renner discloses an apparatus comprising:

at least one storage unit having stored thereon programming instructions designed to:

receive at execution time, a data processing specification having a first and a second unnested data processing cell specification (e.g. *XSL sheets* - col. 39, line 62 to col. 42, line 34) specifying a first and a second data processing cell, with each data processing cell specification having a plurality of statements including a formula specifying an action or computation (e.g. Table 4, col. 38: <...*METHOD*="POST" *ACTION*= "dca.dca\_forum\_data.set\_args"> *xsl: apply-templates select=...*> lines 16-18; *xsl: value-of select* - lines 26, 34, 38, 40),

the first data processing cell having a data dependency on the second data processing cell, and specified in a manner to be analyzed before the second data processing cell (Note: line 33, 36 processed before line 34, 37),

analyze in real time (e.g. Table 4, col. 38-39: first cell: line 33, 36, 39; second cell: lines 34, 37, 40 – Note: *fieldname*, *fieldlbl*, and *fieldval* depend on *@name*, *@label* and *@value*, respectively), the data processing specification to determine an execution order of said actions/computations specified by said first and second data processing cell specifications, based at least in part on interaction or computation references between said actions or computations specified (e.g. col. 38, line 28 to col. 42, line 34 – Note: using statements and formula/action inside *xsl* statement tags to effectuate HTML reads on analyzing and determine order of execution based on tag sequencing of specifications therein), and

effectuate the data processing specified by the data processing specification in accordance with the determined execution order of said actions/computations specified by said first and second data processing cell specifications (e.g. col. 41, lines 42 to col. 42, line 19; col

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43, lines 19-50- Note: SQL calls or POST method and variable processing with value substitution thereto reads on effectuating specification according to order of execution); and at least

one processor coupled to said at Least one storage unit to execute said programming instructions (e.g. Fig. 1).

**As per claims 12-16, and 18-20** these claims correspond to claims 2-6, and 8-10, respectively; hence are rejected with the corresponding rejection as set forth therein.

**As per claim 21**, this is a 'means-plus-functions' version claim corresponding claim 1, and comprises means for:

receiving at execution time (a data processing specification having a ' first and a second unnested data processing cell ...);

analyzing in real time (the data processing specification to determine an execution order...)' and

effectuating (the data processing specified by the data processing specification in accordance...); all of these steps having been addressed in claim 1.

Hence, these limitations are herein rejected with the corresponding rejections as set forth therein.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Renner et al., USPN: 6,993,657, as applied to claims 1, 11; in view of W3C, 'XML Path Language (Xpath)' and 'XSL Transformation (XSLT) Version 1.0; *W3C Recommendation 16 November 1999*, respectively < <http://www.w3.org/TR/1999/REC-xpath-19991116> > and < <http://www.w3.org/TR/xslt>> (hereinafter W3C – submitted in previous Office Action).

As per claim 7, Renner discloses XSL cells having dedicated input specifications (re claim 6) as these are defined via means of XML and the user's template; and further teaches providing or presenting in response to user's input required components, components for the build or a forum evaluation; or/and push back to the user's interface (e.g. Fig. 5A, 5D; step 689 – Fig. 6c; step 740 -Fig. 7; Fig. 8-9; *configuration information, necessary software* - Fig. 12B) but does not explicitly teach that said style sheet first data processing cell specifications has a reserved output cell/template specification specifying output for the data processing specification. The use of XSLT specification language to provide a reserve cell in a template for output is disclosed by W3C (e.g. *xsl: output, xsl: output method* – pg. 9-10; chp. 16.1, 16.2 pg. 79-80). Since the methodology of using XSL methodology by Renner incorporates the features by W3C and Renner's approach is using XML/XSL format via users request ( Table 4) converting input into database request returns into the building interface, it would have been obvious for one of ordinary skill in the art at the time the invention was made to provide Renner's use of W3C and style sheets specification so that dedicated XSL field or tags are reserved to define output specifications as taught by W3C. One of ordinary skill would be motivated to do this because of the interactive nature of Renner's build having the user to assess data being returned from a request; and using XSL output cell dedicated specifications as by



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W3C would support the correctness of data conveyed in HTML form as they are returned into Renner's building/forum or customer service communication scenario ( see Fig. 6C-D, Fig. 9, Fig. 10; col. 12, line 7 to col. 13, line 7) in that the user can assess the correct format via this output cell specification according to mime format and text/character type as mentioned by W3C in such that every build interface and submitted data field is appropriately addressed ( see Renner Fig. 5C-D).

**As per claim 17**, this claim corresponds to claim 7; hence is rejected using the same rationale as set forth therein.

#### ***Response to Arguments***

6. Appellant's arguments filed 4/24/06 with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

One remark about the Bex reference:

According to <<http://doclib.uhasselt.be/dspace/handle/1942/616>> the title "A Formal Model for an Expressive Fragment of XSLT" by Bex, Maneth, and Neven, publisher: Springer-Verlag (UK: London, Springer-Verlag GmbH) for the *CL 2000, First International Conference 2000*, Vol. 1861/2000, pp. 1137-1151, has an issue date of: Jul-2000; and the ISBN of this title is 03029743; this reference, for whose publication date a proof of evidence is submitted in a PTO 892, also has a XSL approach for rendering XML specification into a HTML format output; hence can be used as an alternate prior art as well as the references now listed in the above 892 form.

#### ***Conclusion***

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A Vu whose telephone number is (272) 272-3735. The examiner can normally be reached on 8AM-4:30PM/Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571)272-3719.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3735 ( for non-official correspondence - please consult Examiner before using) or 571-273-8300 ( for official correspondence) or redirected to customer service at 571-272-3609.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VAT  
July 3, 2006

  
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